

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/553,098

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Inventor(s): Jeffrey W. Strovel

Attorney Docket No.: 357074.00009

(previously 689290-253)

Title: Determining Cancer-Linked Genes and Therapeutic
Targets Using Molecular Cytogenetic Methods

Confirmation No.: 9106

Group Art Unit: 1634

Examiner: Shaw, Amanda Marie

DECLARATION UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Stephen K. Horrigan, Ph.D., do hereby make the following declaration:

(1) I am a co-inventor of Application No.: 10/553,098 directed to *Determining Cancer-Linked Genes and Therapeutic Targets Using Molecular Cytogenetic Methods*.

(2) I am an accomplished molecular geneticist, known for contributions to the development of innovative approaches for using genomic profiles and biomarkers to enhance drug discovery and development. I was the Vice President of Research at Avalon Pharmaceuticals a wholly-owned subsidiary of Clinical Data, Inc. During my tenure at Avalon, I held several positions of increasing responsibility within the research organization while directing both internal and collaborative research programs. I also played a key leadership role in the development of the company's unique genomic biomarker-driven R&D platform. I have a strong expertise in the cellular control mechanisms of cancer and the use of biomarkers for the discovery and development of therapeutics and have multiple publications and patents in this

area. Prior to joining Avalon, I was Associate Professor in the Department of Pediatrics and Lombardi Cancer Center at Georgetown University Medical Center where I led a research group focused on cancer genomics and the application of biomarkers in cancer diagnostics. I have also held positions at the University of Illinois, College of Medicine and the University of Chicago School of Medicine.

(3) I am familiar with the invention disclosed and claimed in this patent application.

(4) Table 1 of the specification as filed provides a list of genes identified in cancerous cells as being *both* over-expressed and showing increased copy number. That is, the genes within this Table 1 are expressed at levels in cancer cells that are different from the expression levels in non-cancer cells, and the genes within this Table 1 are amplified in cancer cells relative to non-cancer cells.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: March, 30 2011

By: 
Stephen K. Horrigan, Ph.D.